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Attorneys for Plaintiff
TODD BURTON

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

TODD BURTON, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

TIME WARNER CABLE, INC.,

Defendant.

NO. 3:12-cv-02828-JCS

**SECOND STIPULATION EXTENDING
TIME FOR DEFENDANT TIME
WARNER CABLE INC. TO RESPOND
TO COMPLAINT**

Judge: Hon. Samuel Conti
Complaint Filed: June 1, 2012
Trial Date: None

1 Pursuant to Local Rule 6-1(a), Plaintiff Todd Burton, on behalf of himself and all others
2 similarly situated ("Plaintiff"), and Defendant Time Warner Cable Inc. ("Defendant")
3 (collectively, the "Parties"), by and through their respective counsel of record, hereby stipulate to
4 extend Defendant's time to respond to the Complaint.

5 WHEREAS, on June 1, 2012, Plaintiff filed a putative class action Complaint against
6 Defendant, alleging violations of the Cable Communications Policy Act, 47 U.S.C. § 551, *et seq.*,
7 the California Consumer Records Act, Cal. Civ. Code § 1798.80, *et seq.*, and California Penal
8 Code § 637.5, and breach of implied contract.

9 WHEREAS, Defendant accepted service of the Complaint on June 5, 2012.

10 WHEREAS, on June 12, 2012, this Court entered an order granting the Parties' stipulation
11 to extend Defendant's deadline to respond to the Complaint to July 26, 2012.

12 WHEREAS, Defendant intends to file a motion to dismiss based on, among other grounds,
13 improper venue, and Plaintiff has agreed to take Defendant's argument under advisement.

14 WHEREAS, in order to give the Parties an opportunity to resolve this issue by agreement,
15 and in the interest of conserving the Parties' resources and judicial economy, Plaintiff has agreed
16 to a further extension of Defendant's time to respond to the Complaint of one week to August 2,
17 2012.

18 WHEREAS, this extension is not sought for the purpose of unnecessary delay.

19 WHEREAS, the extension of time sought will not alter the date of any event or deadline
20 already fixed by Court order.

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22 ///

23 ///

1 NOW, THEREFORE, THE PARTIES HEREBY STIPULATE AND AGREE the time for
2 Defendant to respond to the Complaint in this action shall be extended to August 2, 2012.

3
4 Dated: July 19, 2012

WHITE & CASE LLP

By: /s/ Bryan A. Merryman

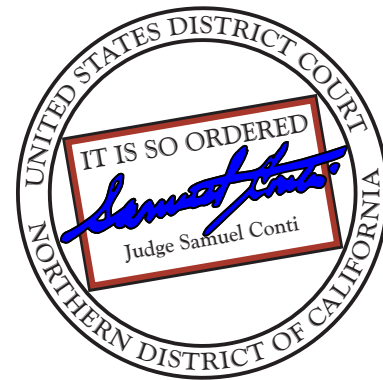
Bryan A. Merryman
Attorneys for Defendant
Time Warner Cable Inc.

6
7 Dated: July 19, 2012

SIPRUT PC

By: /s/ Todd C. Atkins

Todd C. Atkins
Attorneys for Plaintiff
Todd Burton



DECLARATION OF BRYAN A. MERRYMAN

I, Bryan A. Merryman, am an attorney of record for Defendant Time Warner Cable Inc. Todd C. Atkins, attorney of record for Plaintiff Todd Burton, gave me his concurrence in the filing of the document titled "SECOND STIPULATION EXTENDING TIME FOR DEFENDANT TIME WARNER CABLE INC. TO RESPOND TO COMPLAINT," which concurrence shall serve in lieu of his signature on that filed document. I have obtained and will maintain records to support this concurrence for subsequent production to the Court if so ordered or for inspection upon request by a party until one year after final resolution of the action (including appeal, if any).

Dated: July 19, 2012

WHITE & CASE LLP

By: /s/ Bryan A. Merryman

Bryan A. Merryman
Attorneys for Defendant
Time Warner Cable Inc.